

Notice of Allowability

Application No.

10/779,829

Examiner

Anjan K. Deb

Applicant(s)

KIRCHNER ET AL.

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/06/2005.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This office action is in response to amendment filed 10/17/2005.

Withdrawn Claims Rejoined

2. Claims 7-13 and 17 previously withdrawn from consideration are rejoined as they have been amended to reflect limitations of claims 1 and 14.

Allowable Subject Matter

3. Claims 1-17 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1, 6-17 is the inclusion of microcontroller sending commands to a charge transfer sensor for sending sensor charge signals to capacitive means and receiving raw output capacitive electrode discharge signals from said capacitive means having a capacitive hand sensing electrode disposed on a hand-gripping surface of the equipment, and microcontroller disabling the motor of a unit of power equipment upon the absence of operator's hand on a hand-gripping surface of the equipment in combination with remaining claims limitations.

The primary reason for allowance of the claims 2-5 is the inclusion of capacitive means includes a hand-sensing electrode having an inner dielectric material layer contiguously disposed on a metal handle portion of the power equipment, a metal sheet foil conductor material layer contiguously wrapped around the dielectric material to form a tubular configuration having two opposed end edges, and an outer dielectric hand-grip material including said hand-gripping surface that overlaps said opposed end edges thereby producing a capacitance in a grasping operator's hand, an outer hand-grip material, and the metal sheet foil conductor material layer in combination with remaining claims limitations.

Conclusion

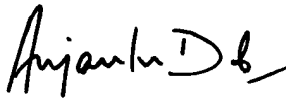
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wolf (US 6,590,171 B1) discloses hand control for a machine (10) with capacitive sensing means comprising two electrodes (52, 54) lying within a handgrip surface for disabling the machine unless the hand (H) of a person grasps the handgrip (14) of the control thereby increasing the capacitance at each of the electrodes (52, 54) spaced about the handgrip axis (56)(Fig. 2,3).

Meixner (US 5,583,386 A) discloses capacitive safety switch for hand operated electrical devices (Fig. 2,6).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Anjan K. Deb whose telephone number is 571-272-2228. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached at 571-272-2399.



Anjan K. Deb

Primary Patent Examiner

Art Unit: 2858

12/1/05

Tel: 571-272-2228

E-mail : anjan.deb@uspto.gov